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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10 WESTERN DIVISION

11 MIGUEL GUTIERREZ,	}	Case No. CV 16-02309-CJC (DFM)
12 Petitioner,		Order Accepting Findings and Recommendation of United States Magistrate Judge
13 v.		
14 W.L. MONTGOMERY,		
15 Respondent.		
16	}	

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18 Under 28 U.S.C. § 636, the Court has reviewed the petition, the records  
19 on file, and the Report and Recommendation of the United States Magistrate  
20 Judge. Neither party has filed any written objections to the report. The Court  
21 accepts the findings and recommendation of the Magistrate Judge.

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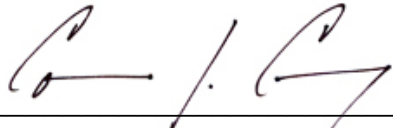
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1 IT IS THEREFORE ORDERED that: (1) Respondent's motion to  
2 dismiss is denied; (2) Respondent is ordered to file an Answer to the Petition  
3 within thirty-five (35) days of this Order; and (3) Petitioner is ordered to file  
4 any Reply or Traverse thereto within twenty-one (21) days of service of  
5 Respondent's Answer.

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7 Dated: March 22, 2018

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10 CORMAC J. CARNEY  
11 United States District Judge  
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